

REMARKS

Claims 26-33, 38 and 39 are presented for consideration, with claims 26, 38 and 39 being independent.

The independent claims have been amended to further distinguish Applicant's invention from the cited art. In addition, claim 40 has been canceled without prejudice or disclaimer of the subject matter recited therein.

All of the claims stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Ishibashi (JP '812). This rejection is respectfully traversed.

Claim 26 of Applicant's invention relates to an exposure apparatus for exposing a substrate with a pattern of an original. The exposure apparatus includes a housing for accommodating therein at least a portion of a light path of exposure light, a reflecting member disposed in the housing, and a laser interferometer having a light source and a light receiving element for receiving light from the light source after being reflected by the reflecting member. As amended, the light source and the light receiving element are disposed outside of the housing.

Claim 38 relates to a device manufacturing method that corresponds substantially to claim 26. Claim 38 thus also recites that the exposure apparatus includes a laser interferometer having a light source and a light receiving element, and these elements are disposed outside of the housing.

Claim 39 relates to an exposure apparatus for exposing a substrate with a pattern of an original, and includes a housing and a detection system having a light source, a light receiving element, and an optical system. Similarly to the other claims, claim 39 has been amended to

recite that the light source and the light receiving element are disposed in a second space outside of the housing.

In accordance with Applicant's claimed invention, a productive and efficient exposure apparatus can be provided.

The Ishibashi citation relates to an optical system that includes a reflecting member 24 disposed in a housing 32 and a laser interferometer 11.

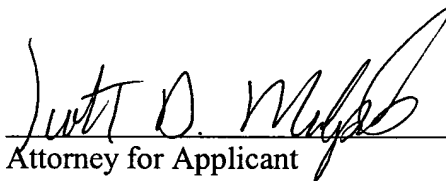
In contrast to Applicant's claimed invention, however, Ishibashi is not read to teach or suggest, among other features, a light source and a light receiving element of the laser interferometer disposed outside the housing. In the Fig. 1 diagram in Ishibashi the laser interferometer 11 is disposed outside of the housing, but light receiving members are not shown. With respect to the Fig. 4 diagram, which is cited in the Office Action, this figure does not depict any housing, but shows the laser interferometer 11 and light receiving members (sensors) 22 and 23. The diagram shown in Fig. 5 places the entire interferometer assembly inside of housing 32. It is submitted, therefore, that Ishibashi cannot be relied upon for teaching a laser interferometer where the light source and the light receiving element are placed outside of the housing, and to do so would not further Ishibashi's object of separating the laser interferometer 11 from an optic system in order to protect it from the heat generated by the laser interferometer.

Accordingly, it is submitted that Applicant's claimed invention is not taught or suggested by Ishibashi. Therefore, reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. § 102 is respectfully requested.

Accordingly, it is submitted that Applicant's invention as set forth in independent claims 26, 38 and 39 is patentable over the cited art. In addition, dependent claims 27-33 set forth additional features of Applicant's invention. Independent consideration of the dependent claims is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott D. Malpede", is written over a horizontal line.

Attorney for Applicant
Scott D. Malpede
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
SDM/eab

DC_MAIN 203956v1